IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 3743 of 1997

Between:

Muddham Lingaiah S/o Ramaiah
Gram Panchayat Kanagal, Kanagal Mandal ,
Nalgonda district.

..... PETITIONER

AND

1 The Executive Engineer, Panchayat Raj Department
Zilla Parishad Office, Nalgonda
2 The Gram Panchayat rep.by its Sarpanch
Kanagal, Nalgonda District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of writ of mandamus, directing the respondents, to continue the petitioner in service as pump operator in the 2nd respondent's office, by holding that the impugned proceedings No. H7/446/95 dt; 22/1/1997 issued by the 1st respondent as illegal, arbitrary, unjust, and unconstitutional, being violative of Arts. 14,16 and 21 of the Constitution of India, and also in violation of the principles of natural justice.

Counsel for the Petitioner: MR.A.RADHA KRISHNA

Counsel for the Respondents: MR.P.RAGHAVENDRA REDDY

The Court made the following ORDER:

This writ petition is filed by the petitioner who worked as a Pump Operator in the Gram Panchayat, Kanagal, Nalgonda – second respondent, questioning the proceedings issued by the Executive Engineer, Panchayat Raj Department - first respondent herein.

At the time of hearing it is stated by the learned counsel for the respondents that the present writ petition is not maintainable, as the petitioner has to approach the A.P. Administrative Tribunal in view of the judgment rendered by this Court in **Government of India and others v. Kolla Raghavaiah and others.**

Accordingly, the writ petition is dismissed giving liberty to the petitioner to approach the A.P. Administrative Tribunal, if he is so advised. No costs.

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S.Ananda Reddy, J

Date:16.09.2004

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To

1 The Executive Engineer, Panchayat Raj Department
Zilla Parishad Office, Nalgonda
2 The Sarpanch, Gram Panchayat,
Kanagal, Nalgonda District

3 Two CD Copies